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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. NOV 1000 CON1

First Inventor Gilles Gosselin

Express Mail Label No. EK566763090US

Title **β-L-2'-Deoxy-Nucleosides for the Treatment of Hepatitis B****Application Elements**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)

2.  Applicant claims small entity status.  
See 37 CFR 1.27

3.  Specification [Total Pages 57]

(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Pages 4]

5. Oath or Declaration [Total Pages 3]

a.  Newly executed (original or copy)

b.  Copy from prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)

i.  DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: 09 / 371,747

Group/Art Unit: 1623

Prior application information: Examiner: L. Eric Crane

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

20786

(Insert Customer No. or Attach bar code label here)

or  Correspondence address below Customer Number or Bar Code Label

Firm or Individual Name Sherry M. Knowles, Esq. (Registration No. 33,052) and Josephine Young (Registration No. 48,308)

Address King & Spalding  
191 Peachtree Street

City Atlanta State GA ZIP 30303-1763

Country U.S.A. Telephone 404-572-3541 Fax 404-572-5145

Name (Print Type): Sherry M. Knowles, Esq. Registration No. (Attorney/Agent) 33,052

Signature *Sherry M. Knowles* Date December 14, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

JC903 US PRO 10/22/01

12/14/01

# FEE TRANSMITTAL

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): Gilles Gosselin et al.

Filing Date: December 14, 2001

Title:  $\beta$ -L-2'-Deoxy-Nucleosides for the Treatment of Hepatitis B

The filing fee is calculated as shown below:

## 1. FILING FEE:

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEES	FEES PAID	FEES	FEES PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$370.00		\$740.00	\$740.00
<input type="checkbox"/> DESIGN FILING FEE	\$165.00		\$330.00	
<input type="checkbox"/> PLANT FILING FEE	\$255.00		\$510.00	
<input type="checkbox"/> REISSUE FILING FEE	\$370.00		\$740.00	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80.00		\$160.00	
	SUBTOTAL (1)			\$740.00

## 2. CLAIMS:

FOR:	SMALL ENTITY		LARGE ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEES
TOTAL CLAIMS	73 - 20 =	53	x \$9 =	x \$18 = \$954.00
INDEP. CLAIMS	27 - 3 =	24	x \$42 =	x \$84 = \$2,016.00
<input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+\$140 =	+\$280 = \$280.00
	SUBTOTAL (2)			\$3,250.00

## 3. ADDITIONAL FEES:

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEES	FEES PAID	FEES	FEES PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER				
	SUBTOTAL (3)			

TOTAL FILING FEES: \$ 3,990.00

A check is enclosed for the amount: \$ 3,990.00

Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0980.

KING & SPALDING

45<sup>th</sup> Floor, 191 Peachtree Street, N.E.

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Telephone: 404.572.4600

By:

Sherry M. Knowles, Attorney for Applicant

Reg. No. 33,052

Date: December 14, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gosselin *et al.*

Filed: Herewith

Serial No.: Unassigned

Continuation of U.S.S.N. 09/371,747

Filed: August 10, 1999

Group Art Unit: 1623

Examiner: L. Eric Crane

For:  $\beta$ -L-2'-Deoxy-Nucleosides for the Treatment of Hepatitis B

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

December 14, 2001

**REQUEST FOR FILING A CONTINUATION APPLICATION UNDER 37 CFR § 1.53(b)**

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Sir:

This is a request by Gilles Gosselin, Jean-Louis Imbach and Martin L. Bryant for filing a Continuation Application under 37 C.F.R. § 1.53(b) of pending prior application U.S. Serial No. 09/371,747, filed on August 8, 1999, now allowed.

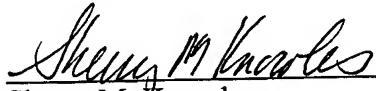
Enclosed is a copy of the prior application U.S.S.N. 09/371,747 as originally filed on August 8, 1999. The application includes fifty-one pages of Specification, five pages of Claims, one page of Abstract, and four sheets of Formal Drawings. I hereby verify that the attached papers are a true copy of what is shown in my records to be the above-identified prior application.

Gilles Gosselin, Jean-Louis Imbach and Martin L. Bryant have assigned their interest in the application to Novirio Pharmaceuticals Limited and the Centre National da la Reserche Scientifique in an assignment recorded on September 27, 1999, at Reel 010271, Frame 0725. A copy of the recorded assignment is enclosed. Also enclosed are copies of the executed Declarations for Patent Application and Powers of Attorney.

A Preliminary Amendment is enclosed. Applicants request entry of the Preliminary Amendment prior to fee calculation. Pursuant to the telephone conversation with the Examiner, the claims of the continuation application closely parallel those allowed in the parent application.

Applicants enclose a check for \$3,990.00 to cover the filing fee. The Assistant Commissioner for Patents is authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0980.

Respectfully submitted,

  
Sherry M. Knowles  
Sherry M. Knowles  
Reg. No. 33,052

Date: December 14, 2001  
Express Mail Label No. EK566763090US

King & Spalding  
191 Peachtree Street  
Atlanta, Georgia 30303  
404-572-3541 (telephone)  
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Attorney Docket No. 06171.105005 (NOV 1000 CON1)

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.10  
FOR UTILITY PATENT APPLICATION FILING**

I hereby certify that this Request for filing a Continuation Application, Transmittal of Utility Patent Application, Utility Patent Application, Preliminary Amendment, and Fee Transmittal, along with any documents referred to as attached therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Addresses" services under 37 CFR 1.10, Mailing Label Number EK566763090US addressed to Box PATENT APPLICATION; Commissioner for Patents; Washington, DC 20231.



\_\_\_\_\_  
Josephine Young  
Reg. No. 48,308

Date: December 14, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gosselin *et al.*

Filed: Herewith

Serial No.: Unassigned

Continuation of U.S.S.N. 09/371,747

Filed: August 10, 1999

Group Art Unit: 1623

Examiner: L. Eric Crane

For:  $\beta$ -L-2'-Deoxy-Nucleosides for the Treatment of Hepatitis B

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

December 14, 2001

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**REQUEST FOR NON-PUBLICATION AND CERTIFICATION UNDER 35 U.S.C. § 122(b)(2)(B)(i)**

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Sir:

I hereby certify that the invention disclosed in the above-identified application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the above-identified application not be published under 35 U.S.C. § 122(b). The above-identified application is being filed on the same date as this Request for Non-Publication.

Respectfully submitted,



Sherry M. Knowles, Esq.  
Reg. No. 33,052

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